

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 111<sup>th</sup> Congress<sup>1</sup>**

[Date approved: April 23, 2010]<sup>2</sup>

**Bill No. and sponsor:** S. 2173 (Mr. Arlen Specter of Pennsylvania et al.).

**Proponent name,<sup>3</sup> location:** Teleflex, Inc., Limerick, PA.

**Other bills on product (111<sup>th</sup> Congress only):** None.

**Nature of bill:** Temporary duty suspension through December 31, 2011.

**Retroactive effect:** None.

**Suggested article description(s) for enactment (including appropriate HTS subheading(s)):**

Filament yarn of polyethylene, single, with a twist exceeding 50 turns/m, measuring not less than 341 decitex but not more than 510 decitex (provided for in subheading 5402.59.00).

**Check one:** ☐ Same as that in bill as introduced.  
☒ Different from that in bill as introduced (see Technical comments section).

**Product information, including uses/applications and source(s) of imports:**

The bill covers particular single filament yarn measuring from 341 through 510 decitex and made from fibers known in the industry as “ultra-high molecular weight” polyethylene fibers. Such high performance, high tensile strength fibers are extremely durable and resistant to moisture, chemicals, abrasion, and sunlight. The subject yarn has a high weight-to-strength ratio and is used in numerous applications, including medical devices, sporting goods, commercial fishing gear, personal protection equipment, and ballistic protection equipment. The proponent’s yarns are imported from the Netherlands.

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<sup>1</sup> Industry analyst preparing report: Heidi Colby-Oizumi (202-205-3391); Tariff Affairs contact: Jan Summers (202-205-2605).

<sup>2</sup> Access to an electronic copy of this memorandum is available at [http://www.usitc.gov/tariff\\_affairs/congress\\_reports/](http://www.usitc.gov/tariff_affairs/congress_reports/).

<sup>3</sup> The sponsor and proponent did not identify any additional beneficiaries of this bill.

**Estimated effect on customs revenue for the subject product classifiable in HTS subheading 5402.59.00:**

	2010	2011	2012	2013	2014
Col. 1-General rate of duty	8%	8%	8%	8%	8%
Estimated value <i>dutiable</i> imports <sup>a</sup>	\$2,600,000	\$2,600,000	\$2,600,000	\$2,600,000	\$2,600,000
Customs revenue loss <sup>b</sup>	\$208,000	\$208,000	\$208,000	\$208,000	\$208,000

a/ Dutiable import estimates were based on official U.S. Government statistics and Commission estimates.

b/ At the request of Congress, customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ.

**Contacts with domestic firms/organizations (including the proponent):**

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Teleflex, Inc. (Proponent) Mary Lee Courtney, 919-433-8058	01/15/2010	No	No	No
American Fiber Manufacturers Association Paul O'Day, 703-875-0432	01/11/2010	Yes	Yes	Yes
DSM Hugh Welsh, 973-641-0605	01/15/2010	Yes	Yes	Yes
DuPont Patrick Owens, 804-383-6088	01/15/2010	Yes	No	No
Honeywell Chuck Ramsdell, 804-520-3227	01/15/2010	Yes	No	No
Innegrity Brian Morin, 864-373-7070	01/22/2010	Yes	No	No
Milliken Kathi Dutilh, 202-775-0084	01/22/2010	Yes	No	No
National Council of Textile Organizations Sarah Pierce, 202-822-8026	12/04/2009	Yes	Yes <sup>4</sup>	Yes

**Technical comments:<sup>5</sup>**

It is suggested that the proposed article description be amended to read as shown on page 1, in order to follow normal tariff usage and provide greater clarity. As drafted, the article description refers to "ultra-high molecular weight polyethylene yarn" without defining what is meant by that phrase. Moreover, it is

<sup>4</sup> Staff contact was with Ms. Pierce; however, the submission was filed by Mr. Cass Johnson, President of the Council.

<sup>5</sup> The Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only the U.S. Customs Service is authorized to issue a binding ruling on this matter. The Commission believes that the U.S. Customs Service should be consulted prior to enactment of the bill.

the fiber, and not the resulting yarn, that apparently has a high molecular weight. Thus, even if the bill included a standard relating to that phrase, Customs could have a difficult time administering a criterion relating to the fibers that make up the yarn.

111TH CONGRESS  
1ST SESSION

# S. 2173

To suspend temporarily the duty on ultra-high molecular weight polyethylene yarn measuring not less than 341 decitex but not more than 510 decitex.

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IN THE SENATE OF THE UNITED STATES

OCTOBER 29, 2009

Mr. SPECTER (for himself and Mr. CASEY) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To suspend temporarily the duty on ultra-high molecular weight polyethylene yarn measuring not less than 341 decitex but not more than 510 decitex.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. ULTRA-HIGH MOLECULAR WEIGHT POLY-**  
4                       **ETHYLENE YARN MEASURING NOT LESS**  
5                       **THAN 341 DECITEX BUT NOT MORE THAN 510**  
6                       **DECITEX.**

7       (a) IN GENERAL.—Subchapter II of chapter 99 of  
8       the Harmonized Tariff Schedule of the United States is  
9       amended by inserting in numerical sequence the following  
10      new heading:

“	9902.01.00	Ultra-high molecular weight polyethylene yarn, measuring not less than 341 decitex but not more than 510 decitex (provided for in subheading 5402.59.00) .....	Free	No change	No change	On or before 12/31/2011	”.
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1           (b) **EFFECTIVE DATE.**—The amendment made by  
2 subsection (a) applies to goods entered, or withdrawn from  
3 warehouse for consumption, on or after the 15th day after  
4 the date of the enactment of this Act.

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